IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

FIRST APPEAL NO.140 OF 2005.

WITH

CIVIL APPLICATION NO.4243 OF 2004.

Niwas Vishnu Kadam (Khot) : Appellant.

versus

Sunita Niwas Kadam & ors. : Respondents.

Mr.Ajit Kenjale for the appellant.

Mr.S.M.Sahasrabudhe for Respondent No.1

Mr.V.S.Kapse for the respondents Nos.2 and 3.

CORAM : D.G.DESHPANDE,J.

DATED : 06th September 2005.

ORAL ORDER

1. Counsel for the appellant states that there is settlement between the parties out of Court and, therefore, he does not want to proceed

further with the appeal and seeks permission to withdraw the appeal. Hence Appeal along with the civil application is allowed to be withdrawn and dismissed for want of prosecution. Refund of Court fees, if any, as per rules.

[D.G.DESHPANDE,J]